

JOINT COMMITTEE ON ADMINISTRATIVE RULES

ILLINOIS GENERAL ASSEMBLY

CO-CHAIR:
SEN. DON HARMON

CO-CHAIR:
REP. RON SANDACK

EXECUTIVE DIRECTOR:
VICKI THOMAS



700 STRATTON BUILDING
SPRINGFIELD, ILLINOIS 62706
217/785-2254

SEN. PAMELA ALTHOFF
SEN. BILL BRADY
SEN. KAREN McCONNAUGHAY
SEN. TONY MUÑOZ
SEN. IRA SILVERSTEIN
REP. GREG HARRIS
REP. LOU LANG
REP. DAVID R. LEITCH
REP. ANDRÉ THAPEDI
REP. MIKE TRYON

MINUTES

May 12, 2015

MEETING CALLED TO ORDER

The Joint Committee on Administrative Rules met on May 12, 2015 at 10:30 a.m. in Room D-1 of the Stratton Office Building, Springfield, Illinois. Co-Chair Sandack called the meeting to order and announced that the policy of the Committee is to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. Other persons are encouraged to submit their comments to the JCAR office in writing.

ATTENDANCE ROLL CALL

X Senator Pamela Althoff	X Representative Greg Harris
X Senator Bill Brady	X Representative Lou Lang
X Senator Don Harmon	X Representative David Leitch
X Senator Karen McConnaughay	X Representative Ron Sandack
X Senator Tony Muñoz	X Representative André Thapedi
X Senator Ira Silverstein	Representative Mike Tryon

APPROVAL OF THE MINUTES OF THE APRIL 14, 2015 MEETING

Representative Leitch moved, seconded by Senator Muñoz, that the minutes of the April 14, 2015 meeting be approved. The motion passed unanimously (11-0-0).

REVIEW OF AGENCY RULEMAKINGS

Department of Human Services – Perinatal Mental Health Disorders Prevention and Treatment (77 Ill. Adm. Code 2110; 39 Ill. Reg. 1427)

Senator Silverstein moved, seconded by Senator Althoff, that JCAR recommend that the Department be more timely in implementing statute in its rules. PA 95-469, which this rulemaking implements, became effective January 1, 2008. The motion passed unanimously (11-0-0).

Department of Natural Resources – Outfitter Regulations (17 Ill. Adm. Code 640; 39 Ill. Reg. 2487)

Senator Muñoz moved, seconded by Representative Lang, that JCAR, with the concurrence of the Department of Natural Resources, extend the Second Notice Period for this rulemaking for an additional 45 days. The motion passed unanimously (11-0-0).

Pollution Control Board –Water Quality Standards (35 Ill. Adm. Code 302; 38 Ill. Reg. 19366), Water Use Designations and Site-Specific Water Quality Standards (35 Ill. Adm. Code 303; 38 Ill. Reg. 19401), and Permits (35 Ill. Adm. Code 309; 38 Ill. Reg. 19416)

Representative Harris, seconded by Senator Brady, moved that JCAR, with the consent of PCB, extend the Second Notice Period for these three rulemakings for an additional 45 days to allow PCB to gather public comment relating to temperature issues in connection with the rulemaking on 35 Ill. Adm. Code 302. The motion passed unanimously (11-0-0).

Department of Public Health – Quality of Life Code (77 Ill. Adm. Code 974; 38 Ill. Reg. 22435)

Representative Lang moved, seconded by Senator Silverstein, that JCAR object to the Department's practice, since 2010, of awarding grants funded by the Quality of Life Endowment Fund without having adopted rules establishing standards for making those grant awards. The motion passed unanimously (11-0-0).

EXPEDITED CORRECTION

IL Gaming Board –Video Gaming (General) (11 Ill. Adm. Code 1800; 39 Ill. Reg. 6061)

Representative Thapedi moved, seconded by Representative Leitch, that JCAR certify the Expedited Correction effective November 21, 2012. The motion passed unanimously (11-0-0).

AGENCY RESPONSE

Department of Insurance – Confidential Supervisory Information (50 Ill. Adm. Code 870; 38 Ill. Reg. 16523)

Due to the appropriateness of the agency's response, no further action was taken.

CONSIDERATION OF OTHER RULEMAKINGS

Department of Natural Resources – Aquaculture, Transportation, Stocking, Importation and/or Possession of Aquatic Life (17 Ill. Adm. Code 870; 39 Ill. Reg. 3249)

Senator Harmon moved, seconded by Senator Silverstein, that JCAR, with the concurrence of the Department of Natural Resources, extend the Second Notice Period for an additional 45 days. The motion passed unanimously (11-0-0).

State Employees Retirement System – The Administration and Operation of the State Employees' Retirement System of Illinois (80 Ill. Adm. Code 1540; 39 Ill. Reg. 2538)

Senator Harmon moved, seconded by Senator Muñoz, that JCAR, with the concurrence of the State employees' Retirement system, extend the Second Notice Period for an additional 45 days to allow time for JCAR and SERS to further discuss SERS' statutory authority for portions of Section 40.380(b)(2)(A) of the rulemaking. The motion passed unanimously (11-0-0).

Student Assistance Commission – Illinois Prepaid Tuition Program (23 Ill. Adm. Code 2775; 39 Ill. Reg. 2133)

Senator Harmon moved, seconded by Senator Muñoz, that JCAR, with the concurrence of the Illinois Student Assistance Commission, extend the Second Notice Period for an additional 45 days. The motion passed unanimously (11-0-0).

CERTIFICATION OF NO OBJECTION

Representative Althoff moved, seconded by Representative Thapedi, that the Committee inform the agencies to whose rulemakings the Committee did not vote an Objection or an Extension, or did not remove from the No Objection List, that the Committee considered their respective rulemakings at the monthly meeting and, based upon the Agreements for modification of the rulemakings made by the agencies, no Objections will be issued. The motion passed unanimously (11-0-0).

JUNE MEETING DATE

Co-Chair Sandack announced that the next monthly meeting of JCAR is scheduled for 11:00 a.m. on Tuesday, June 16, 2015, in Room 600C, Michael A. Bilandic Building, Chicago IL.

ADJOURNMENT

Representative Lang moved, seconded by Representative Harris, that the meeting stand adjourned. The motion passed unanimously (11-0-0).

Min:0515May